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Date 4 Oct 83

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. DOT/Jeff Shane		
2. FAA/Sandy Murdock		
3. DOC/Lucy Falcone		
4. NASA/John Ward		
5. DOD/Tom Maultsby		

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Comment	Investigate	Signature
Coordination	Justify	

REMARKS

6. OSTP/John McCarthy
 7. JCS/Jim Harshbarger
 8. ACDA/JIM Chamberlin
 9. DCI, [redacted]
 10. DOS/Joy Yanagida

Attached is a revised draft E.O. for your review and clearance. It includes comments received to date on an earlier version. I need your clearance by COB Friday 7 Oct. NSC/Gil Rye has requested the draft by Monday the 10th. Thanks.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

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OPTIONAL FORM 41 (Rev. 7-76)
 Prescribed by GSA
 FPMR (41 CFR) 101-11.206

STAT

DRAFT

MEMORANDUM

TO: NSC - Col. Gilbert D. Rye

FROM: OES/S - Charles Horner
NASA/F - Norman Terrell

SUBJECT: Draft Executive Order - U.S. Government Lead
Agency for Commercial Expendable Launch Vehicle
Activities

Attached is a draft E.O. as requested. This draft represents a coordinated Working Group input. The only controversial portion is that NASA strongly recommends deletion of item K of Section 2. The remaining members of the Working Group support the attached E.O. as written.

Attachment:

Draft Executive Order.

DRAFT

Executive Order No. _____ of _____ 1983

U.S. Government Lead Agency for Commercial
Expendable Launch Vehicle Activities

By the authority vested in me as President by the Constitution and statutes of the United States of America, and in order to establish a Lead Agency within the U.S. Government to encourage, facilitate and coordinate the U.S. private sector of commercial expendable launch vehicle (ELV) operations, it is hereby ordered as follows:

Section 1. The _____ is designated as the Lead Agency within the U.S. Government for commercial ELV activities.

Section 2. The Lead Agency shall perform the following functions:

(a) act as a focal point within the U.S. Government for private sector space launch contacts related to commercial ELV operations;

(b) promote and encourage commercial ELV operations in the same manner that other private U.S. commercial enterprises are promoted by U.S. agencies;

(c) handle, coordinate and expedite private sector requests for commercial ELV launches;

(d) ensure consistent application of ELV licensing requirements for the private sector;

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(e) assure fair and equitable treatment for all private sector applicants;

(f) serve as a single collection point for documentation related to commercial ELV licensing applications;

(g) continue to streamline U.S. Government procedures for approval of commercial ELV activities;

(h) identify Governmental policies, statutes, and/or regulations which might have an adverse impact on ELV commercialization and recommend appropriate changes;

(i) resolve any problems which might develop regarding ELV commercialization with senior management of relevant supporting agencies;

(j) refer appropriate matters to the Senior Inter-agency Group (Space) for review;

(k) perform a strategic planning function regarding long-term effects of U.S. Government activities related to ELV commercialization.

Section 3. The Lead Agency shall establish and chair an interagency group composed of DOT/FAA, FCC, DOD, DOS, NASA, and the DOC to assist it in performing its assigned functions.

Section 4. The Lead Agency shall have the ability to obtain information from involved agencies on agency actions which may affect the commercialization of ELVs. All involved agencies shall provide the Lead Agency the requested information to the fullest extent possible.

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All involved agencies shall cooperate with the Lead Agency to assist it in performing its assigned functions.

Section 5. The powers granted to the Lead Agency as overseer and facilitator of the overall ELV commercialization process, from the time a license application is submitted through the actual launch, shall not diminish or abrogate the statutory or operational authority presently exercised by any U.S. Government agency. The Department of Defense (and in some instances the National Aeronautics and Space Administration) remain responsible for the approval and control of ground and flight operations on the National Ranges. The Federal Aviation Agency is responsible for administering commercial launch range safety regulations once developed.

Section 6. This order is intended to designate a U.S. Government Lead Agency for commercial ELV operations, provide a general set of responsibilities for the Lead Agency, and provide guidance to supporting agencies. Nothing contained herein or in any procedures promulgated hereunder is intended to confer any substantive or procedural right or privilege on any person or organization.

Section 7. This order shall be effective on

_____.

OES/SAT:GOjalehto:dbu 9/8-10/4/83